IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

OP.No. 6248 of 2003(R)

PETITIONERS:
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1. M/S.SADGURU MARBLES AND GRANITES,
WEST HILL, KANNUR ROAD, KOZHIKODE,
REPRESENTED BY ITS PARTNER V.GANESH BHAT.

2. M/S.KAMMATH MARBLES, NEAR
ST.ANTONY'S CHURCH, KANNUR,
REPRESENTED BY ITS PARTNER,
AJITHKUMAR KAMMATH.

BY ADV. SRI.R.RAMADAS

RESPONDENTS:
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1. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, DEPARTMENT OF TAXES,
SECRETARIAT, TRIVANDRUM.

2. THE COMMISSIONER (COMMERCIAL TAXES),
TRIVANDRUM.

BY SR.GOVERNMENT PLEADER MR.MOHAMMED RAFIQ

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO.11048/2003 IN O.P.NO.6248/2003-R

DISMISSED

19.3.2007 SD/- K.BALAKRISHNAN NAIR, JUDGE

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE NOTIFICATION NO.SRO NO.G,.O.(P) NO.130/96/TD DATED 31.7.1996.

EXT.P2 TRUE COPY OF THE NOTIFICATION NO.G.O.(P) NO.171/2002/TD DATED 21.11.2002.

/ TRUE COPY /

K.BALAKRISHNAN NAIR, J.

O.P.No.6248 of 2003

Dated this the 19th day of March, 2007.

JUDGMENT

The point raised by the petitioner is covered by the judgment of this Court in O.P.No.434 of 1996 and connected cases. Accordingly the writ petition is allowed. Demand for entry tax is quashed.

K.BALAKRISHNAN NAIR,
Judge.

vns.